

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Amir Orly

**Bankruptcy Case No. 15-11650
(JLG)**

Debtor.

ALFREDO MORENO COCOLETZI, EDGAR
MONTEROSO GILBERTO DARIO RAMIREZ
RAMOS, GERMAN TORRES ROMERO, and
CRISTIAN FREDY VILLAR MEDINA.

**Adversary Proceeding No. 16-
01020 (JLG)**

Plaintiffs,

-against-

AMIR ORLY,

DECLARATION OF JOSHUA S.
ANDROPHY LIMITED
OPPOSITION TO LINDA
TIRELLI'S MOTION TO
WITHDRAW AS ATTORNEY
OF RECORD

Defendant.

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I, JOSHUA S. ANDROPHY, declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that:

1. I am one of the attorneys representing the Plaintiffs in this adversary proceeding. I submit this declaration as a limited opposition to debtor Amir Orly's attorney, Linda Tirelli's, motion to withdraw as his attorney.

2. Plaintiffs do not oppose Ms. Tirelli's withdrawal, as long as she provides the most up-to-date contact information she possesses for Orly. I understand from her motion that she does not have a physical address for Orly and cannot confirm his phone number, and that her most recent communications with him have been through email. (Dkt. No. 36 ¶10) In such case, we ask that Ms. Tirelli provide Orly's e-mail address as a condition to her being granted leave to withdraw as his attorney. We further respectfully request that the Court order that service of any

pleading or other document in this action by email to the address Ms. Tirelli provides be deemed effective service, until Orly provided an accurate physical address.

3. The reason why Plaintiffs need Orly's email address and to be permitted to serve papers relating to the action to such email address is that Plaintiffs must have some means of serving Orly with case papers. Currently, Plaintiffs are able to accomplish that by serving his attorney Ms. Tirelli. If we do not receive Orly's email address, Plaintiffs will have no way to serve Orly and provide him with notice of future Court proceedings. Orly is entitled to receive copies of any court papers and any future proceedings in the action. While Orly provided a physical address when he filed his bankruptcy petition, mail to that address recently sent in connection with Plaintiffs' district court action against him has been returned as undeliverable. A true and correct copy of a returned envelope is annexed as Exhibit A. Mailing court papers to that address would be unlikely to provide Orly with actual notice of any filings or court deadlines.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
July 12, 2018

/s/Joshua S. Androphy
Joshua S. Androphy